

Attorney Docket No. AUS920030843US1
Application No. 10/730,957

II. REMARKS

Claim Rejections – 35 USC § 101

1. The examiner rejected claims 1-48 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended the claims to overcome the examiner's 101 rejection.

Claim Rejections – 35 USC § 102

2. The examiner rejected claims 1-4, 10-13, 16-17, 21-28, 34-37, 40-41, and 45-48 under 35 U.S.C. 102 as being anticipated by Bolnick et al., US 6,043,817 (hereinafter, "Bolnick"). Applicant submits that Bolnick's disclosed method for organizing icons is complicated and requires many steps, actions, and interactions by a user. In contrast, applicant provides a method and product for organizing icons on a computer desktop by only making selections from a menu and activating a submit control. Therefore, applicant's invention requires far fewer user actions to cause an automatic organization of icons on the computer desktop. The simplified process is enabled by the define segments menu which provides selections to the user. The user is not required to define fields or enter data. Applicant has amended independent claims 1, 14, 25, and 38 to clarify this distinction and to include the define segments menu and the submit control in the claims. Specifically, applicant has amended independent claims 1, 14, 25, and 38 to include the following or similar limitation:

wherein the only user actions required to automatically organize the plurality of icons on the computer desktop are for a user to make a plurality of user selections at the define segments menu and to activate the submit control.

Support for the amendment is found in the specification, paragraph [0040] and FIG. 6. Applicant submits that the independent claims distinguish over the prior art, and that the remaining claims depend from allowable independent claims.

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Claim Rejections – 35 USC § 103

3. The examiner rejected claims 5-7, 18-20, 29-31, and 42-44 under 35 U.S.C. 103(a) as being unpatentable over Bolnick in view of Scott et al., US 6,545,687 (hereinafter, "Scott"). Applicant submits that the claims distinguish over Bolnick and Scott for the reasons stated in paragraph 2 above.

4. The examiner rejected claims 8-9, 14-15, 32-33, and 38-39 under 35 U.S.C. 103(a) as being unpatentable over Bolnick in view of Nason et al., US 6,717,596 (hereinafter, "Nason"). Applicant submits that the claims distinguish over Bolnick and Nason for the reasons stated in paragraph 2 above.

Conclusion

5. Applicant submits that the claims are now in condition for allowance. If the examiner has any questions, or suggestions, please call the undersigned at 214-231-4703 (direct).

Respectfully submitted,



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